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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/822,229	04/09/2004	Peter G. Brown	3714.1000-000

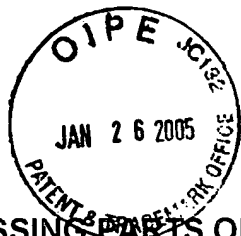
021005  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 VIRGINIA ROAD  
P.O. BOX 9133  
CONCORD, MA 01742-9133

CONFIRMATION NO. 1324

FORMALITIES LETTER



\*OC000000013049421\*



Date Mailed: 06/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

01/31/2005 AMONDAFT 00000022 10822229 1000.00 OP  
01-FC:2255  
01/31/2005 AMONDAFT 00000022 10822229 395.00 OP  
02 FC:2001 65.00 OP  
03 FC:2051

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*A copy of this notice **MUST** be returned with the reply.*

*Answer*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter G. Brown

Application No.: 22,229

Group: 2125

Filed: April 9, 2004

Examiner: Not Assigned

Confirmation No.: 1324

For: THE USE OF SUB (PARTIAL) CYCLES, NESTED CLUSTER CYCLES, AND LOT  
CYCLES FOR DETERMINING EQUIPMENT CAPACITIES IN A BATCH  
MANUFACTURING FACILITY

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
1-24-05	Denise Caradeo
Date	Signature
Denise Caradeo	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Notice to File Missing Parts dated June 24, 2004, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☒ **EXECUTED DECLARATION FOR PATENT APPLICATION**

*(Separate transmittal letter and postcard not required)*

☐ **POWER OF ATTORNEY DOCUMENT**

☐ Granted by Inventor(s)

☐ Granted by Assignee, including Statement under 37 C.F.R. 3.73(b)

*(Separate transmittal letter and postcard not required)*

☐ **PRELIMINARY AMENDMENT**

*(Separate transmittal letter and postcard not required)*

☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate

Fee calculations based on:

☒ Claims as originally filed

☐ The Notice to File Missing Parts states an erroneous number of claims.

☐ Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]

*(Separate transmittal letter and postcard not required)*

☒ **SURCHARGE** - surcharge fee of \$65.00

*(Separate transmittal letter and postcard not required)*

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☒ **SEQUENCE LISTING** - Filed concurrently and is attached☐ Preliminary Amendment included in Sequence Listing Transmittal*(Separate transmittal letter and postcard required)*☐ **REPLACEMENT DRAWINGS** - ☐ sheets of replacement drawings consisting of Figs. 1 - ☐ are enclosed *(Separate transmittal letter and postcard not required)*☐ A Petition to Accept Color Drawings/Photographs (Fig(s). ☐ ) and a Transmittal of Replacement Drawings, with attachments, are enclosed.*(Separate check for fees and postcard required)*☒ **PETITION FOR EXTENSION OF TIME**☒ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated June 24, 2004 for five months from August 24, 2004 to January 24, 2005. The appropriate fee of \$1080.00 is included in the enclosed check☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check*(Separate Petition for Extension of Time and postcard not required)*☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached*(Separate transmittal letter and postcard required)*☒ **STATEMENT CLAIMING SMALL ENTITY STATUS**☐ Was filed on ☐☒ Is enclosed herewith*(Separate transmittal letter and postcard not required)*☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$☐ which were paid on ☐ to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1540.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

By 

Rodney D. Johnson

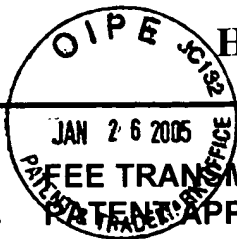
Registration No.: 36,558

Tel.: (978) 341-0036

Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date: January 24, 2005



# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

Attorney Docket Number	3714.1000-000
Application Number	10/822,229
First Named Inventor	Peter G. Brown

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	20 - 20 =	0	x \$ 50 =	\$ 0
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	2 - 3 =	0	x \$200 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 360 =	\$
				BASIC FEE Filed before 12/8/04 / Filed on/after 12/8/04	\$ 790
				APPLICATION SIZE FEE (Applies if filed on or after 12/8/04) \$250 for each add'l 50 sheets exceeding 100	\$ 0
				SEARCH FEE Filed before 12/8/04 / Filed on/after 12/8/04	\$ 0
				EXAMINATION FEE Filed before 12/8/04 / Filed on/after 12/8/04	\$ 0
				Total of above Calculations =	\$ 790
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$ 395
				TOTAL =	\$ 395
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$ 65
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$ 1080
	Assignment Recordation Fee = (only when filed with application)				\$
	[Other]				\$
				TOTAL =	\$ 1540

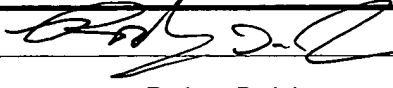
1. Small entity status:

- a. ☒ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$1540.00. ☐ Please charge \$[ ] to Deposit Account No. 08-0380.

4. ☐ Other: \_\_\_\_\_

Signature		Date	January 24, 2005
Submitted by Typed or Printed Name	Rodney D. Johnson	Reg. Number	36,558